

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

IN RE:  
Brad Piercey  
Rhonda Piercey  
DEBTORS

CHAPTER 13 CASE NO.: 10-12148

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MOTION TO SURRENDER PROPERTY MODIFY CONFIRMED PLAN

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COME NOW the Debtors, by and through counsel, move the court to modify the confirmed plan in the above-captioned case. In support of said motion, the Debtors will show unto the court as follows:

1.The Debtors filed for relief pursuant to Chapter 13 of the United States Bankruptcy Code on July 5, 2010.

2.The Debtors own certain property, 2008 Yamaha Rhino , which is security for a loan with Yamaha.

3.The Debtors now desire to surrender said property to Yamaha, and otherwise modify the bankruptcy plan.

WHEREFORE, PREMISES CONSIDER the Debtors request that,

1.A hearing be scheduled that is convenient to the court and for serv ice of said hearing upon the interested parties of the case.

2.The court enter an order authorizing the surrender of said property to Yamaha.

3.That the Chapter 13 Trustee cease all disbursements to said creditor.

4.That after the surrender of the property, the said creditor shall have 60 days within which to file a claim for any unsecured deficiency which shall be paid the same percent as to

other unsecured creditors.

5.The Debtors' Chapter 13 plan payment be adjusted accordingly.

Respectfully submitted, this September 16, 2010

/s/ Alissa York Gay 024812  
Alissa York Gay 024812  
P.O. Box 10788  
Jackson, TN 38308-0113  
(731) 660-7777

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**CERTIFICATE OF SERVICE**

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The undersigned individual hereby certifies that she on this September 16, 2010, mailed, postage prepaid or hand delivered, true and correct copies to the parties listed below.

Mailing Information:

Debtors: 5 T Piercey Road Medina, TN 38355

Debtor's Attorney: P.O. Box 10788, Jackson, TN 38308-0113

Trustee: via ECF

Creditors: Yamaha, PO Box 5253, Carol Stream IL 60197-0000

/s/ Alissa York Gay 024812

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